IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 534 of 1991

For Approval and Signature:

HON'BLE MR.JUSTICE R.K.ABICHANDANI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

GUJARAT BANK WORKERS UNION

Versus

UCO BANK

Appearance:

1. Special Civil Application No. 534 of 1991

MR KETAN A DAVE for Petitioner No. 1-2

MS ARCHANA AMIN FOR MR KG VAKHARIA for Respondent No. 1-2

CORAM : HON'BLE MR.JUSTICE R.K.ABICHANDANI

Date of decision: 05/09/2003

ORAL JUDGEMENT

1. During the course of arguments, noticing that there was reference to a biparte settlement, the particulars of which were not forthcoming and also to the

fact that earlier the House Rent Allowance and Washing Allowance were excluded from salary, as defined under Section 2(21) of the Payment of Bonus Act, 1965, while making payments, the learned counsel for the petitioners states that the petitioners will approach the respondent bank within four weeks from today by way of a representation to consider whether, as per the settlement and terms & conditions of employment, these were remuneration within the meaning of Section 2(21) of the Payment of Bonus Act, 1965. The learned counsel for the respondent bank states that if such a representation is made, the respondent bank shall duly consider the same and take a decision thereon in accordance with law within eight weeks from the date on which it is received. The parties are directed to act accordingly.

2. In view of the above arrangement, rule is discharged with no order as to costs. Needless to say that, if the petitioners are aggrieved against any order that may be made on their representation, they may take recourse to legal remedies.

[R.K.ABICHANDANI, J.]

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